

00574720

B: 1139 P: 109 Fee \$0.00  
 Patsy Cutler, Iron County Recorder Page 1 of 9  
 06/30/2008 10:21:24 AM By GOVERNOR/STATE OF UTAH

**Supplement to Amended Acknowledgment and  
 Amended Notice of Acknowledgment  
 of Acceptance of R.S. 2477  
 Right-of-Way Grant**

**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**


This Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment and the affidavits attached hereto as Exhibit A supplement and support the Amended Acknowledgment and Amended Notice of Acknowledgment, previously made under Utah Code Sections 72-5-309 through 310 inclusive, as it pertains to the highway located in Iron County known as SCHOPPMANN ROAD; County Road Number: 36; State Geographic Information Database (SGID) Road Identification Number: RD110036.

This document supplements and supports the information contained in the document first recorded at **Doc # 00555457, Bk 1094, Beg Pg 662**, as modified by the Amended Acknowledgment and Amended Notice of Acknowledgment recorded on **2/14/2008** at **Doc # 00567672, Bk 1122, Beg Pg 299**. A legal description is attached hereto as Exhibit B.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Supplement to Amended Acknowledgment and Amended Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 25<sup>th</sup> day of June, 2008.

By the Governor's Designee

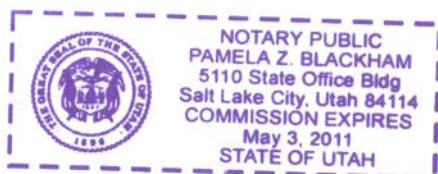
  
 John Harja


**CERTIFICATION**

State of Utah )  
 : ss  
 County of Salt Lake )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 25<sup>th</sup> day of June, 2008.



  
 Notary Public

## Exhibit A

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**AFFIDAVIT OF LYNN FIACK**

**SCHOPPMANN ROAD**

**IRON COUNTY, UTAH**

**ROAD NUMBER 36**

State of Utah                     )  
  : ss.  
County of Iron                    )

LYNN FIACK, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1942. I was an employee of the Iron County Road Department from 1963 to 1987 and served as the Road Foreman from 1974 to 1987. I participated in the maintenance of the above referenced road during that time.

2. I have traveled and am familiar with a road in Iron County known as Schoppmann Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1960s, it followed the same route as in 1987 when I last observed it. Attached is a Iron County map showing Schoppmann Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1960s and continuing through 1976 to 1987. Throughout this time period I have observed travel on the road by means of pickup trucks, road maintenance vehicles and trucks. Throughout this time period, the road has been used weekly.

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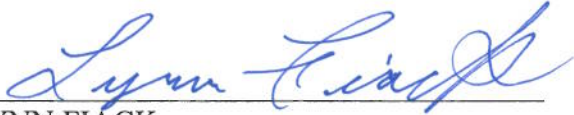
5. Throughout the time period from the early 1960s to 1987, I have used the road myself for road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed vehicles from the general public using the road at various times for livestock operations, utility access, and traveling in and through the area.

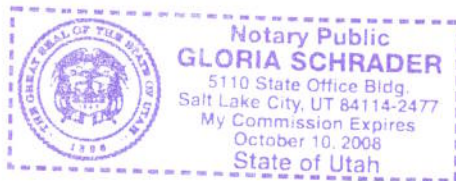
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I performed and observed maintenance and construction activities on the road.

DATED this 21 day of December, 2006.

  
LYNN FIACK

SUBSCRIBED AND SWORN to before me this 21st day of December, 2006.



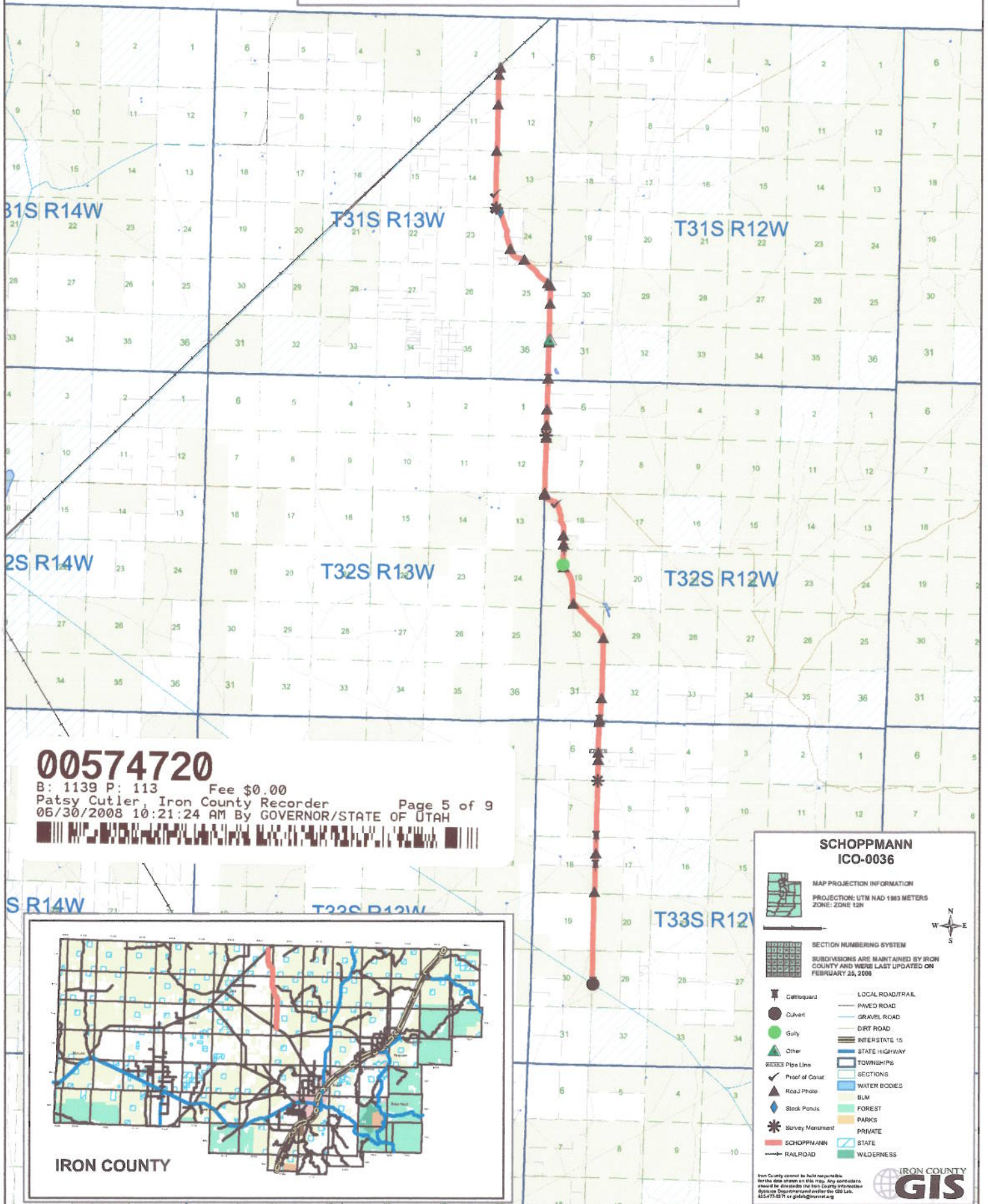
  
NOTARY PUBLIC

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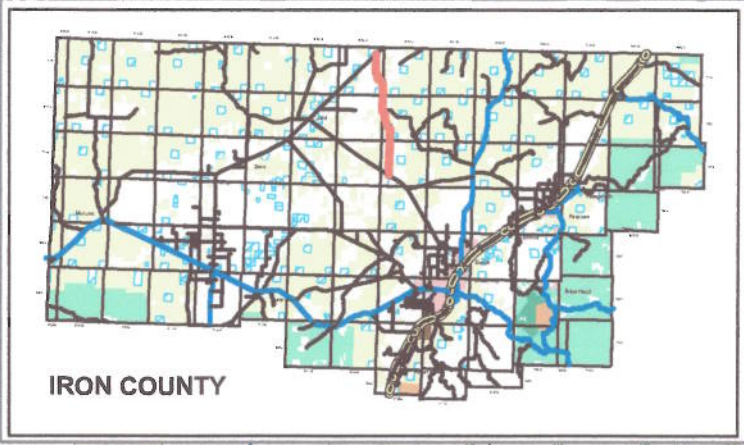


# SCHOPPMAN ICO-0036



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**SCHOPPMANN  
ICO-0036**

**MAP PROJECTION INFORMATION**

PROJECTION: UTM NAD 1983 METERS  
 ZONE: ZONE 12N

**SECTION NUMBERING SYSTEM**

SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2006

<ul style="list-style-type: none"> <li> Cattle guard</li> <li> Culvert</li> <li> Gully</li> <li> Other</li> <li> 263535 Pipe Line</li> <li> Proof of Canal</li> <li> Road Photo</li> <li> Stock Ponds</li> <li> Survey Monument</li> <li> SCHOPPMANN</li> <li> RAILROAD</li> </ul>	<ul style="list-style-type: none"> <li> LOCAL ROAD/TRAIL</li> <li> PAVED ROAD</li> <li> GRAVEL ROAD</li> <li> DRY ROAD</li> <li> INTERSTATE 15</li> <li> STATE HIGHWAY</li> <li> TOWNSHIPS</li> <li> SECTIONS</li> <li> WATER BODIES</li> <li> BLM</li> <li> FOREST</li> <li> PARKS</li> <li> PRIVATE</li> <li> STATE</li> <li> WILDERNESS</li> </ul>
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Iron County cannot be held responsible for the data shown on this map. Any contractors should be responsible for the Iron County information. Approximate Department and/or the GIS Lab. 435-777-0371 or gis@ironcounty.org

**AFFIDAVIT OF NEIL JAMIESON FORSYTH**  
**SCHOPPMANN ROAD**  
**IRON COUNTY, UTAH**  
**ROAD NUMBER 36**

State of Utah                     )  
  : ss.  
County of Iron                    )

NEIL JAMIESON FORSYTH, being first duly sworn, deposes and states as follows:

1.       I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Iron County, Utah. I have lived in Iron County since 1954. I am an employee of the Iron County Road Department and have been since August of 1974. I have been the Road Foreman since July of 1987. I have participated in the maintenance of the above referenced road throughout the time period of my employment.

2.       I have traveled and am familiar with a road in Iron County known as Schoppmann Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1970s, it followed the same route as in 2006 when I last observed it. Attached is a Iron County map showing Schoppmann Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3.       I am informed that the County also identifies this road according to the road number listed above.

4.       I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1970s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of pickup trucks and road maintenance vehicles. Throughout this time period, the road has been used daily, weather permitting.

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5. Throughout the time period from the early 1970s to the present, I have used the road myself for hunting and road maintenance.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, utility access, recreation, government access and traveling in and through the area.

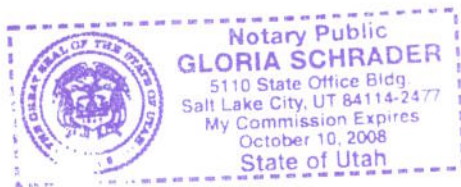
7. It is also the reputation in the community that this road has been open o the public for all to use, to come and go as they pleased, since at least as early as the 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I performed and observed maintenance and construction activities on the road.

DATED this 20<sup>th</sup> day of December, 2006.

  
NEIL JAMESON FORSYTH

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of December, 2006.

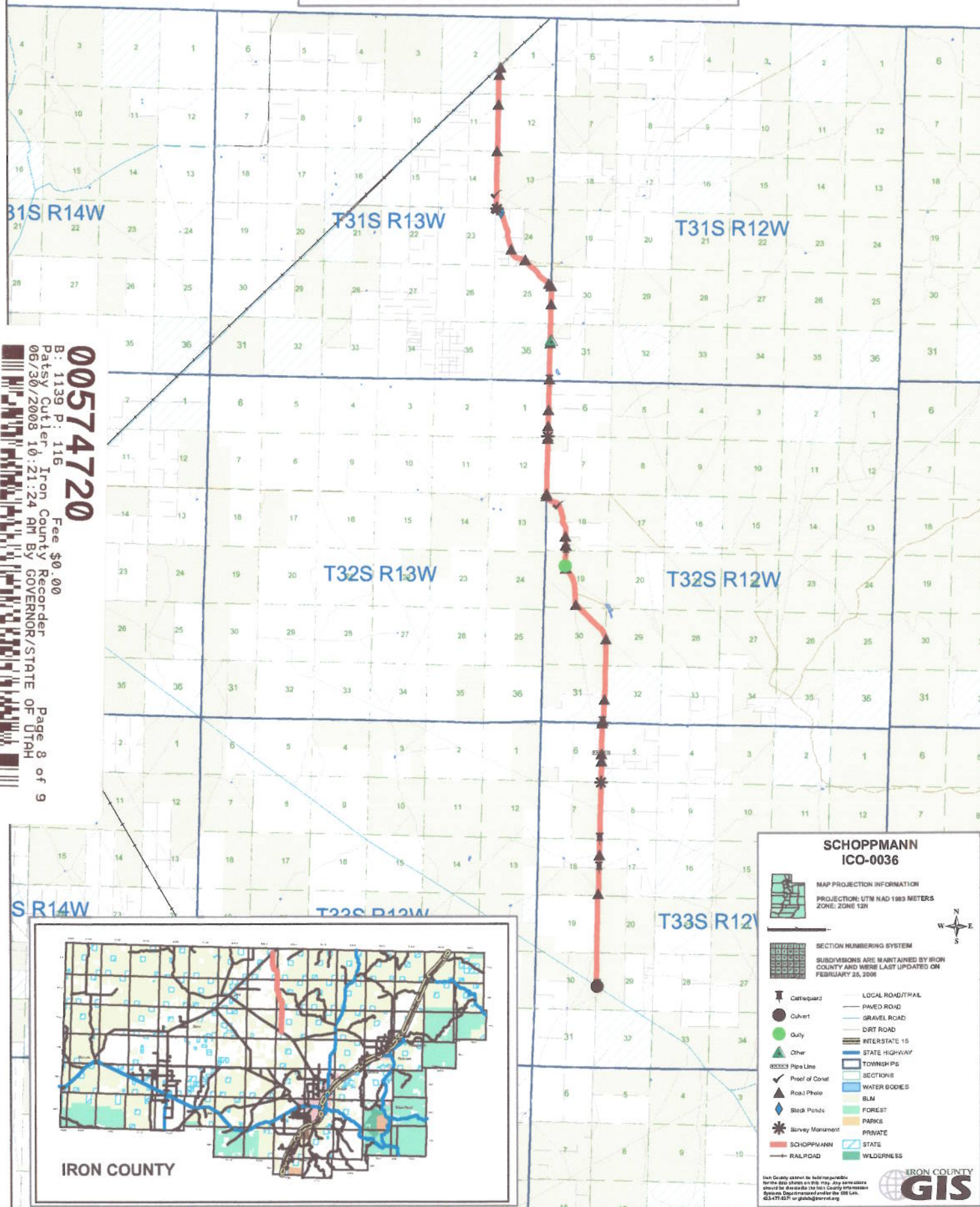


  
NOTARY PUBLIC

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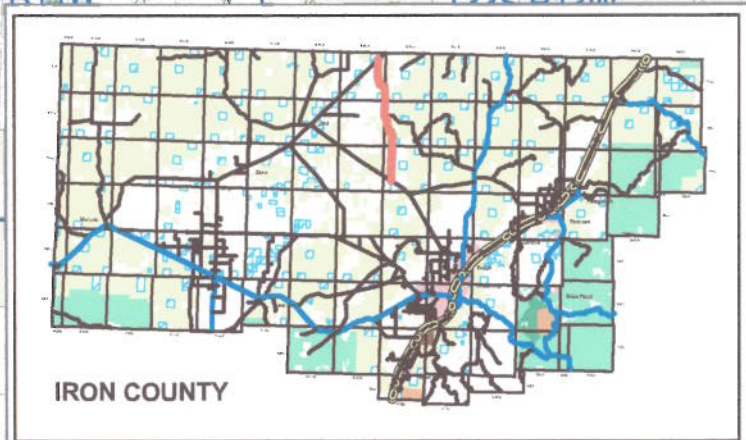
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# SCHOPPMAN ICO-0036



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**SCHOPPMANN  
ICO-0036**

**MAP PROJECTION INFORMATION**  
 PROJECTION: UTM NAD 1983 METERS  
 ZONE: 12N

**SECTION NUMBERING SYSTEM**  
 SUBDIVISIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2006

**LEGEND**

- Cattleguard
- Culvert
- Gully
- Other
- 8x8x8.9 Pipe Line
- Proof of Cont
- Road Photo
- Block Poles
- Survey Monument
- SCHOPPMANN
- RAILROAD
- LOCAL ROAD/TRAIL
- PAVED ROAD
- GRAVEL ROAD
- DIRT ROAD
- INTERSTATE 15
- STATE HIGHWAY
- TOWNSHIP
- SECTIONS
- WATER BODIES
- BLM
- FOREST
- PARKS
- PRIVATE
- STATE
- WILDERNESS

Iron County cannot be held responsible for the data shown on this map. Any errors should be directed to the Iron County Information Systems Department under the GIS Unit. 435-471-8271 or gis@ironcountynv.gov

**IRON COUNTY  
GIS**



## Exhibit B

### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name: SCHOPPMANN ROAD**

**County: Iron**

**County Road Number: 36**

**State Geographic Information Database (SGID) Road Identification Number: RD110036.**

**Total Road Length: 17 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 54 minutes 10.27 seconds North Latitude and -113 degrees 14 minutes 01.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,140,218.1 feet and Y = 10,297,256.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 08 minutes 010.3 seconds North Latitude and -113 degrees 16 minutes 16.56 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,130,992.7 feet and Y = 10,382,415.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 31 South Range 12 West, Section(s) 30,31, Salt Lake Base & Meridian  
Township 31 South Range 13 West, Section(s) 1,11,12,13,14,24,25,36, Salt Lake Base & Meridian  
Township 32 South Range 12 West, Section(s) 6,7,18,19,29,30,31,32, Salt Lake Base & Meridian  
Township 32 South Range 13 West, Section(s) 1,12, Salt Lake Base & Meridian  
Township 33 South Range 12 West, Section(s) 5,8,17,18,19,29,30, Salt Lake Base & Meridian

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